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January 30, 2018 Submitted Via UPS

Ms. Olivia Yuan
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826-3200

RE: FIRST Notice of Deficiency for Permit Renewal Application for the SAFETY-KLEEN SYSTEMS INC. SANTA ANA SERVICE CENTER Hazardous Waste Facility, 2120 S YALE ST, SANTA ANA, EPA ID NO. CAT000613976

Ms. Yuan,

The following are Safety-Kleen Systems Inc. Santa Ana Service Center's (SKSA) responses to the First Notice of Deficiencies (NOD) submitted by the Department after the technical review process. The Department's deficiency is stated in this document with Safety-Kleen's response in *italics*. Also, Safety-Kleen is submitting one hard copy of the redlined/strikeout version of the affected sections of the application. Each section shows the changes that have been made in response to the NOD. The sections are submitted as attachments to this document.

DTSC NOD

1. California Environmental Quality Act: DTSC Form 1176. *Pursuant to California Code of Regulations, title 22, section 66270.14(e), permit applications must include all information necessary to enable DTSC to prepare a CEQA document that would meet the requirements of California Code of Regulations, title 14, section 15063.* The process by which DTSC collects this information is to have the applicant fill out DTSC Form 1176. This information was not included in the Application. The Application must be revised to include the completed DTSC Form 1176.

Safety-Kleen's Response

The DTSC Form 1176 was prepared, and enclosed.

DTSC NOD

2. Description of location where wastes will be moved. *Pursuant to California Code of Regulations, title 22, section 66270.13(i), (j) and (m), 66270.14(b)(11)(D)(3)(b), a permit application for a hazardous waste facility must provide a description of the processes to be used for transferring, treating, storing, and disposing of hazardous waste, and the design capacity of these items.* On the following pages in the Application, it states that the wastes in drums and tanks are transported to Safety-Kleen's recycle center in Reedley, California, or to another approved TSDF:

   - On page 2 in Part I.A.6 entitled "*Description of Business Conducted*", the third paragraph states that "used parts washer solvent and associated sediments are transported to Safety-Kleen recycling center in Reedley, California, or an alternate permitted TSO facility", and "spent immersion cleaner is transported to the Safety-Kleen recycling center in Reedley, California, or an alternate permitted TSD facility."

   - On page 13 in Part II.F.3.a entitled "*Description of Locations where Wastes will be Moved, and Demonstration of Ability to Receive Wastes*", the third sentence of the paragraph states that "Safety-Kleen can dispatch a truck from Pomona Distribution Center or the Reedley Recycle Center within an hour of receiving a request".

   - On page 13 in Part II.F.3.b entitled "*Analysis of Timing to Ensure that Waste can be removed before Facility Floods*", the Application states that "in anticipation of a severe floods, all drums can be quickly scheduled to be hauled off to Pomona and/or Reedley Center."

   - On page 7 in Part III.B.8 entitled "*Process Used for Handling the Waste*", in the first paragraph, the Application states that "The bulk used solvent in the tank is periodically picked up and taken to Safety-Kleen's recycle center in Reedley, California, or to another approved TSDF."

   - On page 4 in Part VIII.C entitled "Use of Manifest (Offsite Facilities Only)", in paragraph of "Outgoing Wastes", the Application states that "California manifests accompany shipments from the service center to the Safety-Kleen Recycle Center in Reedley, California."

   DTSC record indicates that former Reedley Recycle Center was already closed and does not accept new wastes. The Application must be revised to show the up-to-date operation process.

Safety-Kleen's Response

The above referenced pages have been revised.

DTSC NOD

3. Owner: Part I -Facility Identification, pages 5. *Pursuant to California Code of Regulations, title 22, sections 66270.13(e),* a permit application for a hazardous waste facility must provide the name, address, and phone number of the owner of the facility. The Application states that the address of the owner is "5400 Legacy Drive, Cluster II, Bldg.3, Plano, TX 75024". However, the Class 2 Permit modification request submitted on August 27, 2012 states that "the new address for the facility owner is: Safety-Kleen Systems, Inc., 2600 North Central Expressway, Suite 400, Richardson, TX 75080". The Application must be revised to resolve the discrepancy.

Safety-Kleen's Response

The correct address is "Safety-Kleen Systems, Inc., 2600 North Central Expressway, Suite 400, Richardson, TX 75080", and the page has been corrected.

DTSC NOD

4. Listing of All Permits and Construction Approvals Received/Approved: Part I - Facility Identification, page 6. *Pursuant to California Code of Regulations, title 22, sections 66270. 13(k), a permit application for a hazardous waste facility must provide a listing of all permits or construction approvals received or applied for.* Appendix I-5 entitled "Air Permit' states that "facility submitted air permit application for the four drum washer units in the R&F area in December 2005 and is waiting for receiving either permits or exemption from South Coast Air Quality Management District (SCAQMD)." However, on page 6 in Part IV.n of the DTSC Compliance Evaluation Inspection report issued on October 20, 2015 (2015 CEI Report), it states that "the Facility discontinued processing the organic cleaning solvents through the drum/container washers and no SCAQMD permit is required for the system." The Application must be revised to clearly identify the current status of the Air Permit. In addition, all permits or construction approvals must be included in the Application.

Safety-Kleen's Response

The Facility discontinued processing the organic cleaning solvents through the drum/container washers, and no SCAQMD permit is required for the current system and operation. The page has been revised.

DTSC NOD

5. List of RCRA and California Wastes: Part I -Facility Identification, page 9. *Pursuant to California Code of Regulations, title 22, section 66270. 13 (j), a permit application for a hazardous waste facility must provide a specification of the hazardous wastes listed or designated under chapter 11 of this division to be transferred, treated, stored, or disposed of at the facility, an estimate of the quantity of such wastes to be transferred, treated, stored, or disposed annually, and a general description of the processes to be used for such wastes.* On page 9 of Table I-1 entitled "*Wastes and Annual Amounts Handles*", column 1 lists used

parts solvent and used parts washer solvent tank bottom sediment as current waste types. This information is not consistent with the language in 2015 CEI Report. On page 7 of the 2015 CEI report, the second paragraph in Part V entitled "*Narrative of Observations/Discussion with Operator*" states that "the S-K solvent (#105), petroleum naphtha, mineral spirits and immersion solvent cleaner is no longer used" and only aqueous solution is used for cleaning. The Application must be revised to reflect the current operation in Table I-1.

Safety-Kleen's Response

The S-K solvent (#105), petroleum naphtha, mineral spirits and immersion solvent cleaner is no longer used and only aqueous solution is used for cleaning. Table I-1 has been revised.

DTSC NOD

6. Part A of the Permit Application: Part I -Facility Identification, Appendix I-1. *Pursuant to California Code of Regulations, title 22, sections 66270. 13, all applicants for permits shall include Part A application form provided by the Department.*
   - On page 1 of 4 of the RCRA Subtitle C Site Identification Form in Appendix I-A entitled "*3. Site Name*", it states that the name of the site is "Safety-Kleen System Inc. -Santa Ana". On page 1 of Part 1.A.1 entitled "*Facility Name*", "Safety-Kleen System Inc. Santa Ana Service Center" is used as the facility name. The facility name is not consistent. The Application must be revised to resolve the discrepancy.
   - On page 1 of 4 of the RCRA Subtitle C Site Identification Form in Appendix I-A entitled "*8. Site Contact Information*", it states that the site contact person's first name is Jaime, which is incorrect. The Application must be revised to include correct name and phone number of the site contact person.
   - On page 1 of 4 of the RCRA Subtitle C Site Identification Form in Appendix I-A entitled "*9. Legal Owner and Operator of the Site*", it states Safety Kleen became owner on 12/17/1993, and the Address of the facility owner is "2120 South Yale Street, Santa Ana, CA 92704". On August 27, 2012, in the Permit modification request of changing the owner of the facility, it states that "the new address for the facility owner is "Safety-Kleen Systems, Inc., 2600 North Central Expressway, Suite 400, Richardson, TX 75080". Please verify and provide the correct address.
   - On page 1 of the Hazardous Waste Permit Information Form in Appendix 1-1, entitled "4. Facility Existence Date", the Application states that the facility existence date is 01101/1978. This date is not consistent with the date mentioned on page 1 of Part I.A.6 entitled "Description of Business Conducted", in which it addresses that "the company, in operation since 1968". Please .revise the application and keep the consistency.
   - On page 4 to 6 of the Hazardous Waste Permit Information Form in Appendix I-1, the estimated annual quantity of the wastes described in Section 9 must be updated to reflect the current waste stream.

Safety-Kleen's Response

The above referenced pages have been revised. Please see attached Part A application.

DTSC NOD

7. Disclosure of Statement: Part I -Facility Identification. Appendix 1-8. *Pursuant to California Health & Safety Code section 25112. 5, 25200.4, and 25358. 3, Disclosure Statements are required.* This comment is referenced in Attachment A.

Safety-Kleen's Response

There are several Safety-Kleen Systems, Inc. facilities including this facility has been operating as a hazardous waste facility since 1982. Please see attached DTSC report for the facility, and letter requesting for exemption to the Department. The company, Safety-Kleen Systems, Inc., is exempted from the Disclosure Statement Instruction and this requirement for the reason below.

> CORPORATE EXEMPTIONS FOR SUBMITTAL OF DISCLOSURE STATEMENT AND FINGERPRINT REQUIREMENTS
>
> Some corporations are exempt from submitting the Disclosure Statement and/or from the fingerprint/criminal background summary requirements. Public corporations that are listed by the Securities and Exchange Commission (SEC) or are wholly owned subsidiaries of a SEC listed company are exempt from the requirement to submit fingerprints. To also be exempt from the Disclosure Statement requirement, a corporation must have operated a hazardous waste facility or interim status facility in California as of January 1, 1984.

DTSC NOD

8. Location and Identities of Containers or Tanks Holding Ignitable. Reactive. Or Incompatible Wastes: Part II -Facility Location, page 7: On page 7 of Part 11.A.3.g.5, the paragraph states that "the used parts washer solvent (an ignitable waste) is stored in a nominal 12,000-gallon underground waste storage tank, as shown in Figure I-3. On page 7 of the 2015 CEI Report, the second paragraph in Part V entitled "*Narrative of Observations/Discussion with Operator*" states that "used chemicals, including, spent aqueous cleaners, dry cleaning wastes, and spent antifreeze are collected from customers and stored at the facility while awaiting shipment to S-K recycling centers." The Application must be revised to provide the up-to date solvent flashpoint testing results to verify these statements.

Safety-Kleen's Response

The page has been revised to represent correct processes, and the flash point testing is performed companywide to verify the streams for ignitability.

DTSC NOD

9. The Extent of Plumes of Contamination: Part II-Facility Location, page 9 and 10. *Pursuant to California Code of Regulations, title 22, section 66270.14(c)(4), the facility shall submit a description of any plume of contamination or pollution that has migrated from a regulated unit at the time that the application was submitted."* On Part II.A.4.a.6 entitled "*if Present, the Extent of the Plumes of Contamination or Pollution that have Migrated from a Regulated Unit"*, the last paragraph states that "Safety-Kleen requested DTSC's concurrence with No Further Action presented in a Quarterly Progress Report dated April 29, 2003". However, DTSC record indicates that multiple activities were conducted between 2007 and 2009: a Correction Action was issued as Part V in Permit renewal dated May 23, 2007; a Corrective Action Consent Agreement was issued on October 24, 2007; Groundwater monitoring activities resumed from 2007 to 2009; On May 1, 2008 in the Quarterly Progress Report, Safety-Kleen requested DTSC approval for No Further Action related to previous corrective action activities at this site; On November 17, 2009, DTSC issued No Further Action and Acknowledgement of Satisfaction to Safety-Kleen. The Application must be revised to reflect the latest status.

Safety-Kleen's Response

The pages have been revised to "On November 17, 2009, DTSC issued No Further Action and Acknowledgement of Satisfaction to Safety-Kleen.".

DTSC NOD

10. Groundwater Monitoring Wells: Part II-Facility location, page 10: Figure 2-5. On page 10 of Part II.A.4.b entitled "*Location of Groundwater Monitoring Wells*", the Application states that the "locations of six groundwater monitoring MW-1 through MW-6 wells are shown in Figure 2-5". However, wells MW-1 through MW-6 were decommissioned on February 11, 2010 as indicated in the well destruction report dated March 17, 2010 submitted to DTSC. The Application must be revised to resolve the discrepancy.

Safety-Kleen's Response

The page has been updated, and Figure 2.5 has been removed from the application.

DTSC NOD

11. Part III-Waste Analysis Plan (WAP). *Pursuant to California Code of Regulations, title 22, section 66270. 14(b)(3), a copy of the waste analysis plan required by section 66264. 13(b) is required for all waste management facilities except as section 66264. 1 provides otherwise; Pursuant to California Code of Regulations, title 22, section 66264.13(a)(4), the analysis shall be repeated as necessary to ensure that it is accurate and up to date.* On page 6 of Part III.B entitled "Used Parts Washer Solvent (Mineral Spirits/Aqueous Cleaners

including Sludge and Tank Bottoms", it states that the waste is ignitable with "flash point less than 140°F." This conflicts with the content in 2015 CEI Report. On page 7 of the DTSC CEI report, the second paragraph in Part V entitled "*Narrative of Observations/Discussion with Operator*" states that "the S-K solvent (#105), petroleum naphtha, mineral spirits and immersion solvent cleaner is no longer used". The Application must provide a revised waste analysis plan (WAP) with the current waste stream.

Safety-Kleen's Response

The page has been revised to reflect the correct waste streams managed at the facility.

DTSC NOD

12. Used Oil: Part III-Waste Analysis Plan, page 5. On page 5 of Part III.A.3 entitled "*Permitted Waste Streams-3. Used Oil*", the Application states that "there are two primary sources for generating used oil: (1) automotive oil drained from crankcases and automotive maintenance, and (2) non-automotive oil." This indicates that "used oil" is the permitted waste stream. However, "waste oil" and "used oil" are used interchangeably in the Application, despite that these two terms refer to different waste streams. According to the definition described in Health and Safety Code section 25250.1 (a)(1), "used oil" means oil that has been refined from crude oil, or any synthetic oil, that has been used, and, as a result of use or as a consequence of extended storage, or spillage, has been contaminated with physical or chemical impurities. In addition, "used oil" does not include any of the oil addressed in Health and Safety Code section 25250.1 (a)(1)(C). It is not clear in the Application whether the facility handles both "used oil" and "waste oil" or "used oil" only. Please conduct a document-wide check to ensure that the waste is named properly. If "waste oil" is handled at the facility, waste analysis in accordance with California Code of Regulations, title 22, section 66264.13, must be performed.

Safety-Kleen's Response

The facility only manages "used oil" pursuant to the definition from Health and Safety Code section 25250.1 (a)(1), and the pages with "waste oil" have been revised to only include "used oil".

DTSC NOD

13. Number of Sampling Sites: Part III-Waste Analysis Plan, page 19. *Pursuant to California Code of Regulations, title 22, sections 66264. 13(b)(3), a permit application for a hazardous waste management facility must include waste sampling and sampling management.* On page 19 of Part III.D.9 entitled "*Number of Sampling Sites*", the Application states that "there are seven permitted Safety-Kleen Branches in California." Please verify whether the

statement is still valid. If not, the Application must be revised to provide up-to-date information.

Safety-*Kleen's Response*

There are five Safety-Kleen branches in CA, and the referenced page has been revised.

DTSC NOD

14. Frequency Analysis of the Waste: Part III-Waste Analysis Plan, page 22 and 23: Appendix A to E. *Pursuant to California Code of Regulations, title 22, section 66264.13(a)(4), the analysis shall be repeated as necessary to ensure that it is accurate and up to date.* On page 23 of Part III.F.2 entitled "*Methods and frequency of re-testing for recharacterization of wastes*", the Application states that Safety-Kleen will conduct annual recharacterization of the permitted waste streams. However, the waste analysis results presented on the Page 37 to 71 of Part III (Appendix A to E) were conducted between 2002 and 2003. The Application must be revised to provide sample analyses results reflecting the status. The most current waste analysis shall be provided in the Part III.

Safety-Kleen's Response

The most recent annual recharacterization analysis results for the facility has been updated and replace pages 37 – 71 of Part III. If the Department wants to see the data for companywide testing (over 1300 pages), the data can be supplied separately.

DTSC NOD

15. Description of Hazardous Waste Stream. On page 7 of the 2015 CEI Report, the second paragraph in Part V entitled "Narrative of Observations/Discussion with Operator" states that "the S-K solvent (#105), petroleum naphtha, mineral spirits and immersion solvent cleaner is no longer used". The language in the CEI is inconsistent with multiple locations in the Application, including:
    - On page 32 of Part III entitled "Table II-Test Methods", on the first section of the table "Used Parts Washer Solvent, the testing parameter shows that petroleum based solvent is included in the waste stream.
    - On page 6 of Part IV.A.4.J entitled "Empty Containers Contaminated with Hazardous Waste are Handled as Hazardous Waste", it states that "spent parts washer solvent is used as the initial cleaning fluid", and "a small volume of clean solvent is used as a final rinse, if necessary. This solvent is obtained from the fill pump that is used to refill the clean containers with product. The final rinse also drains from the drum washer into the underground waste storage tank".
    - On page 16 of Part IV.B.5.c, entitled "Process Flow", the Application states that "containers of spent parts washer solvent are unloaded at the return/fill loading dock by hand or by using a handcart. A forklift may be used to unload the containerized wastes, when necessary. The containers are opened and the contents are poured into the drum washers".

- On page 16 of Part IV.B.5.d entitled "Feed System", the Application states that "the spent parts washer solvent is fed into the waste tank through piping shown in Figure 4-2."
- On page 16 of Part V.P.3.a.1 entitled "Tank must have Maximum Organic Vapor Pressure, which Limit for Tanks Design Capacity Category", the Application states that "one underground storage tank (UST) and four above ground tanks (drum washer units) utilized for management of waste mineral spirits at the facility are non-pressurized, and quiescent tanks."
- On page 1 of AppendixV-2 entitled "Tanks", the Application states that "one underground storage tank (UST) and above tanks (four drum washer units) utilized for management of waste mineral spirits at the facility are non-pressurized, and quiescent tanks."
- On page 2 of Part XIII.A.2 entitled "Description of Each SWMU', the Application states that" in 1992, during the course of a RCRA facility assessment (RFI), SWMU No. 4 was the unit covering mineral spirits Return and Fill area."

Please conduct a document-wide check on the waste stream. The Application must be revised to indicate the current waste stream in all applicable Parts of the application including, but not limited to, DTSC 1093A Form, Waste Analysis Plan, Facility Design, and the Closure Plan.

Safety-Kleen's Response

There have been revision to several parts of the application to reflect most current waste streams.

DTSC NOD

16. Tanks and Return & Fill Area Design: Part IV-Facility Design, page 6. On page 6 of Part IV.A.4.J entitled "*Empty Containers Contaminated with Hazardous Waste are Handled as Hazardous Waste*", it states that "spent parts washer solvent is used as the initial cleaning fluid", and "a small volume of clean solvent is used as a final rinse, if necessary. This solvent is obtained from the fill pump that is used to refill the clean containers with product. The final rinse also drains from the drum washer into the underground waste storage tank". This conflicts with the language in the 2015 CEI report. On page 6 in the Part IV.n of the 2015 CEI report, entitled "Air Board Permits", it states that "the facility discontinued processing the organic cleaning solvents throughout the drum/container washers and no SACQMD permit is required for the system. Since July 2011 the facility washes only the aqueous waste containers." Please revise the Application to resolve the discrepancy.

Safety-Kleen's Response

The page has been revised to reflect the current process.

DTSC NOD

17. Empty Containers Contaminated with Hazardous Waste: Part IV-Facility Design. On page 6 of Part IV.A.4.J entitled "*Empty Containers Contaminated with Hazardous Waste are Handled as Hazardous Waste*", it states that "the empty spent parts washer solvent containers are cleaned in drum washers located in the Return and Fill area". The Application must be revised to clarify whether the containers for washing are considered empty as defined in California Code of Regulations, title 22, section 66261.7(b), "if the hazardous material which the container held is pourable, no hazardous material can be poured or drained from the container when the container is held in any orientation (e.g. tilted, inverted, etc.)".

Safety-Kleen's Response

The part of the application has been revised to reflect current procedure, and the item needs to be discussed further with the Department.

DTSC NOD

18. Figure 4-1: Part IV-Facility Design. *Pursuant to California Code of Regulations, title 22, section 66270. 15(a)(1), 66264.175, the Application shall provide basic design, parameters, dimensions, and construction materials.* The Application must be revised to include sufficient information in Figure 4-1 to show the compliance with regulatory requirements:
    - Figure 4-1 must be revised to add dimensions of the container storage buildings.
    - Figure 4-1 must be revised to add slope arrows and location of berms of loading and unloading areas.
    - Figure 4-1 must be revised to provide update-to-date pipe design and UST annotation to demonstrate that clean mineral spirit in the clean solvent UST will not be pumped to the return and fill area.

Safety-Kleen's Response

Figure 4-1 has been revised.

DTSC NOD

19. Maximum Operating Capacity of Drum Storage Area: Part IV-Facility Design, page 7 and 8; Appendix IV-4. *Pursuant to California Code of Regulations, title 22, section 66270.15(a)(1); 66264. 175(b)(3), the containment system shall have sufficient capacity to contain precipitation from at least a 24-hour, 25-year storm plus 10 % of the aggregate volume of all containers or the volume of the largest container, whichever is greater.* On page 8 of Part IV.A.8 entitled "*Capacity of Containment System Relative to Number and Volume of Stored Containers* ... ", the text refers to Appendix IV-4 for the secondary containment capacity calculation." On page 3 of 8 in Appendix IV-4 entitled "*East Container Storage Room*

(room #2)", the 55-gallon drums were stored on the floor as shown in the schematic drawing. This is not consistent with the observation during the DTSC's site visit on June 13, 2017 that four 55-gallon drums are stored on one pallet.

- Please revise the Application so that the drum storage is consistent with operations (on the floor vs on the pallet).
- The secondary containment calculation shall be revised to reflect the presence of the pallet and the potentially "max volume of stored waste" shall be updated.
- Appendix IV-4 must be revised to include a scaled drawing of the drum storage area #1 and #2 with detailed storage layout.

Safety-Kleen's Response

There are some unnecessary pages in the calculation, which were referencing areas that has been discontinued for usage. The pages in Appendix IV-4 has been revised. Containment calculation is based on the sump in the area, so it has no impact whether the drums are stored on pallet or directly on the floor. The facility currently stores drums on pallets.

DTSC NOD

20. Containment for Loading and Unloading Area: Part IV-Facility Design. page 9 and 30. Figure 4-1. Figure 4-2. *Pursuant to California Health and Safety Code - HSC Section 25200.19(4)(A), the loading or unloading of bulk hazardous waste shall be conducted within the hazardous waste facility with a containment device or other system capable of collecting and containing leaks and spills that may reasonably be anticipated to occur during loading and unloading operations until the leaked or spilled material is removed, unless otherwise approved by the department in a regulation or permit.*

    - On page 9 of Part IV.A.5.C entitled "*Describe Containment for Loading and Unloading Area*", it states that "the loading and unloading area has 2-in concrete berm on the south side and a trench on the north side of the area to provide spill containment". This section must be revised to show that the loading and unloading is conducted in a containment device or other system capable of collecting and containing leaks and spills required in *HSC Section 25200.19(4)(A)*.

    - On page 30 of Part IV.B.13.h entitled "*Containment for loading and unloading area*", the Application states that "the return and fill area is designed with adequate containment in case of spill". More details must be provided to show compliance with regulations in *HSC Section 25200.19(4)(A)*.

Safety-Kleen's Response

The pages have been revised.

DTSC NOD

21. Tank Certification Description: Part iv-Facility Design, page IV-32. On page 32 of Part IV.B.13.j entitled "*Certification*", the Application states that "the certification expires on March 2004, Safety-Kleen will certify the tank by March 2, 2007." This is inconsistent with the language in Appendix IV-2. On page 1 of 9 of Appendix IV-2: Tank Certification - Seismic Assessment and Liquefaction Analysis, the tank assessment is dated August 16, 2016. The Application must be revised to correct the discrepancy.

Safety-Kleen's Response

The page has been revised.

DTSC NOD

22. Tank Certification: Part IV-Facility Design, Appendix IV-2. *Pursuant to California Code of Regulations, title 22, section 66264.191, tanks shall have sufficient shell strength and, for closed tanks, pressure controls (e.g., vents) to assure that they do not collapse or rupture. The Department will review the design of the tanks, including the foundation, structural support, seams and pressure controls and seismic considerations. The Department shall require that a minimum shell thickness be maintained at all times to ensure sufficient shell strength.* DTSC ESPO has reviewed the Appendix IV-2 entitled "*Tank Certification – Seismic Assessment and Liquefaction Analysis*" dated August 16, 2016. The Application must be revised to address the ESPO comments contained in Attachment B.

Safety-Kleen's Response

Please see attached revised tank certificate meeting requirements from the Attachment B on the letter from the Department. The facility has been working with the vendor to document the technician training certificate for ultrasonic tank thickness testing. The vendor is currently evaluating and assessing the technician requirements for the training, and the training will be completed by end of 2018. The facility is looking for Department guidance or a possible compliance schedule upon permit approval for additional ultrasonic testing conducted by another vendor, or if it can be performed by the same vendor after the training is completed.

23. Table 4-1: Part IV-Facility Design. Table 4-1 on page 41 of Part IV summarizes the stored wastes and container types. On page 2 of Appendix IV-1, Table IV-1 entitled "*Summary of Container Information*" includes waste streams that are missing from Table 4-1, including:

    - Automotive paint waste/lacquer thinner
    - Spent immersion cleaner
    - Miscellaneous waste, i.e. aerosol

The Application must be revised to resolve this discrepancy.

Safety-Kleen's Response

The table has been revised.

DTSC NOD

24. Calculation of Containment Capacity: Part IV-Facility Design, Appendix IV-4. On page 2 of 3 in Appendix IV-4 (subject-proposed storage containment) entitled "*Containment Design for Proposed Waste Storage Area (3000 SQ ft)*", the Application states "Max waste stored - see Figure 13". However, Figure 13 does not exist. The Application must be revised to include the correct figure to be referenced.

Safety-Kleen's Response

The page is referencing the calculation of proposed storage containment, which does not exist. The pages have been removed to prevent the confusion. The remainder of the calculation lists calculation of two container storage areas (#1 & #2), which are only relevant to the current permitted container storage areas.

DTSC NOD

25. Appendix V-2: Subpart CC Compliance Plan -Waste Determination Procedure: On page 1 of Appendix V-2 entitled "*Waste Determination Procedures*", the Application states that "all wastes managed in tanks or containers at this facility may display an average volatile organic concentration of greater than 500 parts per million by weight (ppmw) at the point of waste origination". However, on page 6 of the 2015 CEI Report, in Part IV.n entitled "Air Board Permits", it states that "the facility discontinued processing the organic cleaning solvents throughout the drum/container washers and no SCAQMD permit is required for the system. Since July 2011 the facility washes only the aqueous waste containers." The Application must be revised to reflect the latest operation and test result. Provide the updated testing results for VOC concentrations in the containers and tanks in all application Parts of the application.

Safety-Kleen's Response

The page has been revised to reflect current process.

DTSC NOD

26. Groundwater Monitoring: Part VI-Environmental Monitoring and Response Programs. page 1 to 4. On the following pages in the Application, it states that the groundwater monitoring activity was discontinued in 2003:

- On page 1 of Part VI.A.5 entitled "*Contamination or Pollutant Plume Description*", the Application states that "in summary, Safety-Kleen has requested no further action with respect to the former USTs since detected constituent concentrations are below the respective maximum contaminant levels for drinking water (MCLs)". However, groundwater monitoring activities resumed from 2007 to 2009 pursuant to Corrective Action Consent Agreement issued on October 24, 2007; DTSC issued No Further Action and Acknowledgement of Satisfaction to Safety-Kleen on November 17, 2009. Part VI of the Application must be revised to reflect that no groundwater monitoring activity is currently conducted.

- On page 2 of Part VI.A.6 entitled "Engineering Report Describing General Monitoring Program", the Application states that "items in section b below are addressed in the generalized sampling and analysis plan (February 2003 version)". The Application must be revised to reflect that no groundwater monitoring activity is currently conducted.

Safety-Kleen's Response

The pages have been revised.

27. Corrective Action Program Description. Part VI-Environmental Monitoring and Response Programs. page 4. *Pursuant to California Code of Regulations, title 22, section 66270.14(c)(8); 66264.99; 66264.100, an owner or operator required pursuant to section 66264.91 to establish a corrective action program for a regulated unit shall, at a minimum, comply with the requirements of this section.* On page 4 of VI.A.9 entitled "*Corrective Action Program Description*", the first sentence states that "the groundwater monitoring has been performed as a result of corrective action activities associated with the former USTs at the site." The Application must be revised to indicate that no corrective action program is active in the facility.

Safety-Kleen's Response

The pages have been revised.

DTSC NOD

28. Facility Inspection Schedule: VIII-Management Practice, page 10 to 15. *Pursuant to California Code of Regulations, title 22, section 66270.14(b)(5), a copy of the general inspection schedule shall be submitted within Part B Application.* The description in Part VIII.E.1.c does not contain general inspection schedule for overall periodic (daily, weekly, monthly etc.) inspections at the Facility. The Application must be revised to include the general inspection schedule. This comment is referenced in EERD Memorandum of Attachment C.

Safety-Kleen's Response

The pages has been revised to include Inspection schedule for each inspection.

DTSC NOD

29. Tank System Inspection: VIII-Management Practice, page 12. The descriptions of the subsections listed below are missing on page 12 of Part VIII. E.1.b.2 entitled "*Tanks Systems*". The Application must be revised to add the description of inspection of the following contents.

- Tank System External Corrosion and Releases (section 66270.14(b)(5); 66264.195(b)(1)): Owner/operator must inspect that aboveground portion and check for corrosion.

- Tank System Construction Materials and Surrounding Area (section 66270.14(b)(5); 66264.195(b)(3)): Observe construction materials and area around external portion for signs of release of hazardous waste.

- Tank System Overfilling Control Equipment (section 66270.14(b)(5); 66264.195(a)): Develop and follow schedule for inspection of overfill controls.

- Tank System Monitoring and Leak Detection Equipment (section 66270.14(b)(5); 66264.195(b)(2)): Analyze data gathered from monitoring equipment to ensure tank is operating according to design.

- Tank System Cathodic Protection (section 66270.14(b)(5); 66264.195(c)): Inspect according to schedule.

Safety-Kleen's Response

Cathodic Protection system is not installed for the tank, and the outer shell of the tank is fiberglass, so there is no direct contact of ground with metal part of the tank. Since the tank is not equipped with cathodic protection system, pursuant to section below, it is not required for inspection.

66264.195(c)
The owner or operator shall inspect cathodic protection systems, ***if present****, according to, at a minimum, the following schedule to ensure that they are functioning properly.*
(1) The proper operation of the cathodic protection system shall be confirmed within six months after initial installation and annually thereafter.
(2) All sources of impressed current shall be inspected and/or tested, as appropriate, at least bimonthly (i.e., every other month).

The pages has been revised to add other required items. Please see attached Part VIII.

DTSC NOD

30. Field Tests and Communication/Alarm System: Part IX-Personal Training Program, page 3 and 5.

- On page 3 of Part IX entitled "*Field Tests*", the Application was written as XI.A.3.b. Field Tests. This is incorrect. The Application must be revised to include correct section number.

- On page 5 of Part IX entitled "*Communication/Alarm System*", the Application was written as XI.A.3.d. Communication/Alarm System. This is incorrect. The Application must be revised to include correct section number.

Safety-Kleen's Response

The pages have been revised.

DTSC NOD

31. Part IX-Personal Training Program, Appendix IX-1, 2 and 3. *Pursuant to California Code of Regulations, title 22, 66270. 14(b)(12), it is required for all hazardous waste management facilities to provide an outline of both the introductory and continuing training programs by owners or operators to prepare persons to operate or maintain the hazardous waste management facility in a safe manner as required to demonstrate compliance with section 66264.16.* The Examples of "Job descriptions" shown in Appendix IX-1 are prepared on 7/1/2002; Examples of "S-K branch training matrix" shown in Appendix IX-2 are prepared on 12/10/2003; and Examples of "Specific training records" shown in Appendix IX-3 are prepared on 05/07/02. The Application must be revised to provide up-to-date examples of job description, S-K branch training matrix, and specific training records.

Safety-Kleen's Response

The Appendices pages have been revised.

DTSC NOD

32. State Emergency Response Team: Part X-Contingency Plan and Emergency Procedures. *page 5. Pursuant to California Code of Regulations, title 22, section 66270.14(b); 66264.37(a)(2), (a)(3), the owner or operator shall attempt to make agreements with State emergency response teams, emergency response contractors, and equipment suppliers, as appropriate, for the type of waste handled at the facility and the potential need for the services of these organizations.* However, State emergency response team was not described on Page 5 of Part X.F entitled "Arrangement with Local Authorities". The Application must be revised to describe how Safety-Kleen comply with this requirement.

Safety-Kleen's Response

The page has been revised. Please see attached Part X.

DTSC NOD

33. Emergency Equipment: Part X-Contingency Plan and Emergency Procedures. page 31. *Pursuant to California Code of Regulations, title 22, section 66270.14(b)(7); 66264.52(e), the plan shall include a list of all emergency equipment at the facility where this equipment is required. This list shall be kept up to date. In addition, the plan shall include the location and a physical description of each item on the list, and a brief outline of its capabilities.* On page 31 of Part X.R.2. i entitled "*Decontamination Equipment*", the Application states that "the exact location of this equipment in the new facility has not been established". The Application must be revised to include an up-to-date list of spill control equipment and decontamination equipment including location, the physical description and a brief outline of its capabilities.

Safety-Kleen's Response

The page has been revised.

DTSC NOD

34. Example Safety Data Sheets: Part X-Contingency Plan and Emergency Procedures. Appendix X-1. The examples of "Safety Data Sheets" contain information that is not updated to status. The Application must be revised to provide the latest Safety Data Sheets to avoid confusion and possibly contradictory information.

Safety-Kleen's Response

The page has been revised to replace outdated MSDS to current ones. Please see attached Part X (Appendix X-1).

DTSC NOD

35. Emergency Notification: Part X-Contingency Plan and Emergency Procedures. Appendix X-2 & 3. Appendix X-2 entitled "*Documentation of Agreements*" contains emergency notification list dated November 30, 2016, while Appendix X- 3 entitled "*Emergency Notification*" contains three emergency notification lists dated December 20, 2010, January 2007, and October 13, 2005. The Application must be revised to provide up-to-date information and delete duplicate information in Appendix X-2 and Appendix X-3 to avoid confusion and possibly contradictory information.

Safety-Kleen's Response

The Appendices X-2 & X-3 have been revised.

DTSC NOD

36. Closure and Post Closure Plan: Part XI-Closure and Post Closure Plans. On page 2 of Part XI entitled "*Closure and Post Closure Plan*", it states that "the new tanks replaced three former USTs, which were taken out of service in 1989, and removed in 1994. Corrective Action of subsurface impacts associated with the former USTs is being addressed by the DTSC." The Application must be revised to provide up-to date information of the closure of SWMU #5,6,7,8 and Area of Concern Number 1, including the following:

- On May 23, 2007, Correction Action was re-issued as Part V in Permit renewal. Corrective Action Consent Agreement was issued on October 24, 2007.

- Resumed groundwater monitoring activities from 2007 to 2009 pursuant to Corrective Action Consent Agreement. Safety-Kleen Conducted two supplemental groundwater monitoring events which are (1) February 8, 2008

- Quarterly Progress Report (October through December 2007), and (2) May 1, 2008 - Quarterly Progress Report (January through March 2008)

- On May 1, 2008 in the Quarterly Progress Report, Safety-Kleen requested DTSC approval for No Further Action related to previous corrective action activities at this site. On November 17, 2009, DTSC issued No Further Action and Acknowledgement of Satisfaction to Safety-Kleen.

- On July 24, 2009, the Facility submitted "Solid Waste Management Unit 6 Closure Certification Report" prepared by Trihydro Cooperation. DTSC issued Closure Certification Report Approval letter to Safety-Kleen on July 31, 2009.

- On August 21, 2009, the Facility submitted "Closure Certification, Solid Waste Management Unit Number 5,6,8 and Area of Concern Number 1 -Request of completion of Corrective Action" prepared by Trihydro Cooperation. DTSC issued Closure Certification Report Approval letter to Safety-Kleen on August 26, 2009.

Safety-Kleen's Response

The page has been revised.

DTSC NOD

37. Closure and Post-closure Sampling and Analysis Plan: Part XI-Closure and Post-closure Plans, page 6 and page 7. *Pursuant to California Code of Regulations, title 22, section 66264. 111, the owner or operator shall close the facility in a manner that: (b) controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated rainfall or run-off, or waste decomposition products to the ground or surface*

waters or to the atmosphere. On page 6 and 7 of Part XI.A. 7, the proposed sampling distribution fails to include sampling at several locations where management and storage of hazardous waste occurred. In addition, the proposed sampling fails to include soil vapor and indoor air sampling. These comments are referenced in GSB Memorandum of Attachment D. The Application must be revised to address the GSB comments.

Safety-Kleen's Response

Please note that although soil sampling on pages 6 and 7 is limited to discussing the soil samples beneath the container storage area, additional sampling at the other permitted units (return/fill and underground storage tanks) is addressed on pages 11 - 13 in Section XI-A.8. As described, soil samples will be collected beneath each of the permitted units based on the engineer's inspection at closure, and are designed to be collected at cracks, gaps, or low lying areas in the containment that represent the highest potential for a release to have impacted the environment during facility operations. In addition, the permit/closure plan only applies to the waste underground storage tank. When closure is implemented, additional soil samples will be collected based on CUPA guidelines and jurisdiction for the non-permitted product tank(s), as well as along the length of piping to/from the tanks. A separate report is provided to the CUPA to document the product tank removal and subsequent sampling.

In addition, The DTSC comment letter dated September 15, 2017 mentions the soil vapor sampling currently being implemented at our former El Monte facility, presumably as a basis to include vapor sampling in the Santa Ana closure plan. Please note, that the El Monte closure plan used the same methodology to evaluate the presence of a release at closure by first collecting soil samples from beneath the hazardous waste management units to determine the need for further investigation. Since low level constituents were detected in the closure soil samples during the initial El Monte closure activities (consistent with the protocol described in the SK Santa Ana closure plan), SK proposed to further investigate environmental conditions at El Monte by collecting subsurface vapor and indoor air data. SK maintains that this approach by collecting soil samples at locations biased toward areas where the highest potential for impact should a release have occurred to determine the need for further investigation satisfies the regulations referenced in the DTSC comment.

Similarly, comments 1 and 2 in the September 2017 DTSC letter request soil vapor, sub-slab, and indoor air samples be collected at the same locations (at hazardous waste management unit areas), which duplicates the areas where soil samples would be collected as described in the closure plan. As described above, SK maintains that collection of soil samples at hazardous waste management unit areas (as complimented by additional soil data collected in accordance with CUPA requirements for non-permitted areas) with direct comparison to appropriate screening levels is sufficient to determine the presence/absence of a release during operations in accordance with the regulations.

DTSC NOD

38. Description of Waste Management Units: XIII-Solid Waste Management Units. page 2 and 3. *Pursuant to California Code of Regulations, title 22, section 66270.14(d)(1)(E),*

information of specification of all wastes that have been managed at the unit is required for the solid waste management units.

- On page 2 of Part XIII.A.2 entitled "Description of Each SWMU", the Application presents a table summarizing the operating units and description of each unit in the facility. The table is directly taken from Section 4 of the 1992 RFA. The table also does not show whether the unit is closed or still under operation. Table in VIII.A.2 must be revised to add a column differentiate former unit (SWMU No. 5,6,7,8 and area of concern #1) with closure date and current unit (SWMU No.1,2,3,4 and area of concern #2).

- On page 2 of Part XIII.A.4 entitled "Description when Each Unit was Operated", the closure status and closure date were missing in the description. The Applications must be revised to provide information up to date.

- On page 3 of Part XIII.A.5 entitled "Specification of All Wastes that have been Managed at the Unit, to the Extent Available", the description of SWMU No 1, 2, 3, 4 is outdated. The Applications must be revised to provide up-to-date information.

Safety-Kleen's Response

The pages has been revised

DTSC NOD

39. Releases: Part XIII-Solid Waste Management Units, page 3 and page 4. *Pursuant to California Code of Regulations, title 22, section 66270.14(d)(2), the owner or operator of any facility containing one or more solid waste management units shall submit all available information pertaining to any releases of hazardous wastes or hazardous constituents from such unit or units.* On page 4 of Part XIII.B entitled "Releases", the last sentence states that "therefore, Safety-Kleen requested no further action with respect to the former SWMUs in a Progress Report dated April 29, 2003." The paragraphs on page 3 and 4 of must be revised to include information to status as required in the regulation.

Safety-Kleen's Response

Language added to the Part XIII.B to include the information to the status as required regulation.

DTSC NOD

40. Statement of Known Contamination or Corrective Action Plan: Part XIII-Solid Waste Management Units. On page 4 of Part XIII.C entitled "*Statement of Known Contamination or Corrective Action Plan*", the last sentence states that "Safety-Kleen has requested no further action with respect to the former SWMUs in a Progress Report dated April 29, 2003." This statement is outdated. DTSC record indicates that multiple activities related to

corrective action were conducted between 2007 and 2009: A Correction Action was re-issued as Part Vin Permit renewal on May 23, 2007; A Corrective Action Consent Agreement was issued on October 24, 2007;Groundwater monitoring activities resumed from 2007 to 2009 pursuant to Corrective Action Consent Agreement issued on October 24, 2007; Safety-Kleen Conducted two supplemental groundwater monitoring events which are (1) February 8, 2008 - Quarterly Progress Report (October through December 2007), and (2) May 1, 2008 - Quarterly Progress Report (January through March 2008); Safety-Kleen requested DTSC approval for No Further Action related to previous corrective action activities at this site in the Quarterly Progress Report on May 1, 2008; DTSC issued No Further Action and Acknowledgement of Satisfaction to Safety-Kleen on November 17, 2009. The Applications must be revised to provide the latest information.

Safety-Kleen's Response

The page has been revised.

Thank you for your assistance during this permitting process. If you have any questions regarding the information submitted in this document, feel free to contact me via email at kim.ho@cleanharbors.com or by phone at 408-441-0962 Ext.26.

Sincerely,

Ho Kim
Senior Environmental Compliance Manager
Clean Harbors / Safety-Kleen

Enclosure:

- Two hard copies of complete version of
  - Revised Environmental Information Form DTSC 1176
  - Revised Part A
  - Revised Part B Application of all sections, figures, tables, appendices, calculations, and attachments
- One flash drive of the complete clean version of the revised permit application
- One hard copy of redlined/strikeout version of application showing the change

CC:

Matthew Sauvageau Vice President, Environmental Compliance, Safety-Kleen Systems, Inc.
Jamie Moreno Skinner Facility General Manager, Safety-Kleen Systems, Inc. (Santa Ana)